

dh



UNITED STATES PATENT AND TRADEMARK OFFICE

UNITED STATES DEPARTMENT OF COMMERCE
United States Patent and Trademark Office
Address: COMMISSIONER FOR PATENTS
P.O. Box 1450
Alexandria, Virginia 22313-1450
www.uspto.gov

Table with 5 columns: APPLICATION NO., FILING DATE, FIRST NAMED INVENTOR, ATTORNEY DOCKET NO., CONFIRMATION NO.

10/758,295 01/15/2004 Masami Kashiwazaki CANO:114 5169

37013 7590 09/17/2007
ROSSI, KIMMS & McDOWELL LLP.
P.O. BOX 826
ASHBURN, VA 20146-0826

EXAMINER

ZHU, RICHARD Z

ART UNIT PAPER NUMBER

2625

MAIL DATE DELIVERY MODE

09/17/2007

PAPER

Please find below and/or attached an Office communication concerning this application or proceeding.

The time period for reply, if any, is set in the attached communication.

## Office Action Summary

Application No.

10/758,295

Applicant(s)

KASHIWAZAKI, MASAMI

Examiner

Richard Z. Zhu

Art Unit

2625

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

### Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

### Status

- 1)  Responsive to communication(s) filed on 19 July 2007.
- 2a)  This action is **FINAL**.                      2b)  This action is non-final.
- 3)  Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

### Disposition of Claims

- 4)  Claim(s) 1-3,5 and 8-14 is/are pending in the application.  
4a) Of the above claim(s) \_\_\_\_\_ is/are withdrawn from consideration.
- 5)  Claim(s) \_\_\_\_\_ is/are allowed.
- 6)  Claim(s) 1-3,5 and 8-14 is/are rejected.
- 7)  Claim(s) \_\_\_\_\_ is/are objected to.
- 8)  Claim(s) \_\_\_\_\_ are subject to restriction and/or election requirement.

### Application Papers

- 9)  The specification is objected to by the Examiner.
- 10)  The drawing(s) filed on \_\_\_\_\_ is/are: a)  accepted or b)  objected to by the Examiner.  
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).  
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11)  The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

### Priority under 35 U.S.C. § 119

- 12)  Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).  
a)  All    b)  Some \*    c)  None of:
- Certified copies of the priority documents have been received.
  - Certified copies of the priority documents have been received in Application No. \_\_\_\_\_.
  - Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

\* See the attached detailed Office action for a list of the certified copies not received.

### Attachment(s)

- Notice of References Cited (PTO-892)
- Notice of Draftsperson's Patent Drawing Review (PTO-948)
- Information Disclosure Statement(s) (PTO/SB/08)  
Paper No(s)/Mail Date \_\_\_\_\_
- Interview Summary (PTO-413)  
Paper No(s)/Mail Date. \_\_\_\_\_
- Notice of Informal Patent Application
- Other: \_\_\_\_\_

**DETAILED ACTION**

*Acknowledgement*

1. Acknowledgement is made of applicant's amendment made on 7/19/2007. Applicant's submission filed has been entered and made of record. The examiner notes that the applicant amends all the independent Claims 1, 11, and 12 as well as a new independent Claim 14.

*Response to Applicant's Arguments*

2. Claim 12 had been amended in accordance to the statutory requirement of the office, the examiner hereby withdraw the rejection of Claim 12 under 35 USC 101.
3. The applicant's arguments had been duly considered and the arguments are persuasive. The rejection under 35 USC 102 (b) is withdrawn and a new ground of rejection is made under 35 USC 103 (a) in view of applicant's amendment to the claims.

***Claim Rejections - 35 USC § 103***

4. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

5. Claims 1, 5, and 9-12 are rejected under 35 USC 103 (a) as being unpatentable over *Ramsay et al.* (US 5502576 A) in view of *Hussey* (US 5826269 A) and *Lin et al* (US 7130864 B2).

**Regarding Claims 1, 11 and 12, Ramsay** discloses a document management system comprising:

a host computer (**Figure 1, Terminal 14. Col 25, Rows 35-36**);

an image information processing apparatus (**Col 25-26, see specifics below**);

a document management server that manages electronic document data (**Fig 1, Electronic Image Server 30 + Mass Storage 34. Col 26, Rows 20-30**);

and a network that connects said host computer (**Fig 1, Network 12 and High Speed Network 28. Col 25, Rows 38-44**), said image information processing apparatus, and said document management server to each other (**Col 25, Rows 64 - Col 26, Row 4**);

and wherein said image information processing apparatus comprises:

an image information reading device that reads image information (**Col 25, Rows 40-42. Fig 1, Digital Capture 18 and Analog Capture 32**);

a searching device that searches the electronic document data within said document management server for original electronic document data corresponding to the read image information (**Col 26, Rows 37 - 41. Fig 1, Mainframe 16 and Mass Storage 34. It appears**

Art Unit: 2625

that the user manually search the database. However, contrary to the applicant's argument, there still has to be a searching device that implements user's search, albeit under user's guidance, because user is unable to physically manipulate algorithmic implementations. Furthermore, it has been held by the court that broadly providing an automatic or mechanical means to replace a manual activity which accomplished the same result is not sufficient to distinguish over the prior art, see Section 3 of MPEP 2144.04 [R-1] and *In re Venner*, 262 F.2d 91, 95, 120 USPQ 193, 194 (CCPA 1958). Finally, see rejection of Claim 14 for the automatic searching device);

and a notifying device that notifies or transmits a result of search by said searching device (Col 26, Rows 41 - 49. Process of notification is achieved when Terminal 14 receives the image documents from Mass Storage 34, per user's request).

*Ramsay* does not disclose the setting device in the manner of the amended subject matter of current amended claims.

*Hussey* discloses:

a setting device (Fig 1, Email Processor 32) that sets, based on a user operation (Col 8, Rows 47 – Col 9, Row 20, the Email Processor apply the filtering criteria in accordance to user demand, Col 9, Rows 14-18), whether or not a file corresponding to the searched original electronic document data is attached to an electronic mail (Col 7, Rows 21-37. If the corresponding file is located, it is attached and sent to the user. Else, no attachment will be set in the electronic mail); and

Art Unit: 2625

a notifying device (**Fig 1, Email Processor 32**) that notifies a result of search by said searching device as an electronic mail (**Col 7, Rows 21-37**) to an electronic mail address (**Fig 3, and see Col 8, Rows 16-30, sender field where the request is originated**),

wherein the file of the searched original electronic document data is attached to the electronic mail to be transmitted when said setting device sets that the searched original electronic document data is to be attached (**Col 7, Rows 21-37, if the corresponding document is found; the setting device attach said document to the electronic mail and send it to the requester as part of the electronic response**),

and wherein the file of the searched original electronic document data is not attached to the electronic mail when said setting device sets that the searched original electronic document data is not to be attached (**Col 7, Rows 21-37, if the corresponding document is not found, the electronic response to the requester will not include an attach document**).

*Ramsay* and *Hussey* are in the same field of server that stores and retrieves images and/or documents.

It would've been obvious to one of ordinary skill in the art at the time of the invention to incorporate the electronic mail processor of *Hussey* into *Ramsay* so that the client who made the request can be properly notified of the results of search whereas the motivation would've been to provide "a networked system for processing queries for a server in a distributed processing environment" (*Hussey, Abstract*).

*Hussey* does not disclose the result of search including information indicative of a location where the searched original electronic document data is stored.

Art Unit: 2625

*Lin* disclose the result of search including information indicative of a location where the searched original electronic document data is stored (**Col 1, Rows 11-20, conventional system stores and retrieve specific information for a database using descriptive information regarding the image file, such as filename, which indicates the location on the server the image file is located**).

*Lin* is in the same field of database management and retrieval of images and/or document as *Ramsay* and *Hussey*.

It would've been obvious to one of ordinary skill in the art at the time of the invention to include filename, information indicative of a location where the searched original electronic document data is stored, as part of the search result whereas the motivation would've been to allow the user to browsed efficiently and retrieve requested document and/or images quickly (*Lin*, Col 1, Rows 12-14).

**Regarding Claim 5, Ramsay** discloses wherein said image information processing apparatus comprises an operating section, and said notifying device displays the result of search in said operating section (**Column 25, Rows 49 through 50, the computers 14 has raster display or LCD projection screens. Column 26, Rows 49 through 50, the operator may process the retrieved image as desired**).

**Regarding Claim 9, Ramsay** discloses wherein said image information processing apparatus further comprises:

a printing device (**Column 25, Row 43**);

and a controller operable when original electronic document data corresponding to the read image information is present within said document management server (**Column 26,**

Art Unit: 2625

**Rows 44 through 49), to cause said printing device to print the original electronic document data (Column 26, Rows 49 through 50. The operator, in this case, is the one to issue commands to the system and dictates its method of processing the retrieved image document. Therefore, the operator serves as the controller).**

**Regarding Claim 10, Ramsay** discloses wherein said image information processing apparatus comprises:

a storage device (**Column 25, Rows 64 through 67, mass storage device 34**);

and a controller operable when original electronic document data corresponding to the electronic document data within the read image information is present within said document management server, to provide control to store data obtained by rendering the original electronic document data in said storage device (**Column 26, Row 55 through Column 27, Row 8**).

6. Claim 13 is rejected under 35 USC 103 (a) as being unpatentable over *Ramsay et al. (US 5502576 A)* in view of *Hussey (US 5826269 A)* and *Lin et al (US 7130864 B2)* and further in view of *Langseth et al. (US 6694316 B1)*.

*Ramsay* discloses wherein the user operation is executed via an external computer (**Fig 1, Terminal 14**) that is connected via the network to the image information processing apparatus (**Fig 1, Digital Capture 18, Analog Capture 32, Output 20**).

*Ramsay* does not disclose it is done via a web browser.

*Langseth* discloses an interface to a server via a web browser (**Col 13, Rows 10-56 specifically Rows 48-56**).

*Langseth*, like the rest of the references applied, is in the field of database.



Art Unit: 2625

It would've been obvious to one of ordinary skill in the art at the time of the invention to implement the interface of *Ramsay* with a web browser of *Langseth* whereas the motivation would've been to provide the user with a graphical interface in which the user can use to control the communication and execute tasks between the terminal device and the server.

7. Claim 14 is rejected under 35 USC 103 (a) as being unpatentable over *Hussey (US 5826269 A)* in view of *Abdel-Mottaleb et al (US 6285995 B1)* and *Lin et al (US 7130864 B2)*.

Regarding Claim 14, *Hussey* discloses a network system whereas a client is connected to a server that manages document data via a network (**Abstract**):

a setting unit (**Fig 1, Email Processor 32**) that sets, based on a user operation (**Col 8, Rows 47 – Col 9, Row 20, the Email Processor apply the filtering criteria in accordance to user demand, Col 9, Rows 14-18**), whether or not a file corresponding to the searched original electronic document data is attached to an electronic mail (**Col 7, Rows 21-37. If the corresponding file is located, it is attached and sent to the user. Else, no attachment will be set in the electronic mail**); and

a transmitting unit (**Fig 1, Email Processor 32**) that transmits a result of search by said searching device as an electronic mail (**Col 7, Rows 21-37**) to an electronic mail address (**Fig 3, and see Col 8, Rows 16-30, sender field where the request is originated**),

wherein the file of the searched original electronic document data is attached to the electronic mail to be transmitted when said setting device sets that the searched original electronic document data is to be attached (**Col 7, Rows 21-37, if the corresponding**

Art Unit: 2625

**document is found, the setting device attach said document to the electronic mail and send it to the requester as part of the electronic response),**

and wherein the file of the searched original electronic document data is not attached to the electronic mail when said setting device sets that the searched original electronic document data is not to be attached (**Col 7, Rows 21-37, if the corresponding document is not found, the electronic response to the requester will not include an attach document**).

*Hussey* does not disclose image information processing apparatus and the searching unit.

*Abdel-Mottaleb* discloses an image information processing apparatus (**Fig 1, System 100 and see Entry Unit 122, Col 5, Rows 39-41, a scanning device**) connected to a document management database (**Fig 1, Database 102 and see Col 5, Rows 12-15, database of images**) that manages electronic document data, the image information processing apparatus comprises:

a searching unit (**Fig 1, Comparison Unit 128**) that searches (**Col 5, Rows 45-54, the Comparison unit compares the query image with image in the database using feature vector**) the electronic document data within said document management database for original electronic document data corresponding to image information read by a reading unit (**Fig 1, query image by Entry Unit 122**);

*Abdel-Mottaleb* and *Hussey* are in the same field of database that stores and retrieves images and/or documents.

It would've been obvious to one of ordinary skill in the art at the time of the invention to incorporate the search unit and the image processing apparatus of *Abdel-Mottaleb* into

Art Unit: 2625

*Hussey* so that the client can enter an query image and search for the appropriate corresponding image in the database via network connection whereas the motivation would've been to provide "an image retrieval system of the kind set forth in which the time for finding candidate images similar with the query image is reduced" (*Abdel-Mottaleb*, Col 1, Rows 66 – Col 2, Rows 3).

*Hussey* does not disclose the result of search including information indicative of a location where the searched original electronic document data is stored.

*Lin* discloses the result of search including information indicative of a location where the searched original electronic document data is stored (Col 1, Rows 11-20, conventional system stores and retrieve specific information for a database using descriptive information regarding the image file, such as filename, which indicates the location on the server the image file is located).

*Lin* is in the same field of database management and retrieval of images and/or document as *Abdel-Mottaleb* and *Hussey*.

It would've been obvious to one of ordinary skill in the art at the time of the invention to include filename, information indicative of a location where the searched original electronic document data is stored, as part of the search result whereas the motivation would've been to allow the user to browsed efficiently and retrieve requested document and/or images quickly (*Lin*, Col 1, Rows 12-14).

Art Unit: 2625

8. Claim 3 is rejected under 35 USC 103 (a) as being unpatentable over *Ramsay et al. (US 5502576 A)* in view of *Hussey (US 5826269 A)* and *Lin et al (US 7130864 B2)* and further in view of *Seder et al. (US 2002/0164053 A1)*.

**Regarding Claim 3**, wherein said searching device comprises a watermarked information-sensing device [Column 8, Rows 35 through 50. This is the background introduction known to one ordinarily skilled in the art. It speaks of using 8-bit grayscale for document processing to “assure far greater certainty when verifying the integrity and authenticity of the electronic image” wherein 8-bit grayscale image contains background details such as watermark to verify and authenticate a document when a searching device attempts to locate a document in the server, Column 8, Rows 39 through 43. Therefore, *Ramsay* implicitly teach that the electronic image format disclosed in the embodiment contains details such as watermark].

While the disclosure does not explicitly teach that the Mass Storage 34 has a search device that senses watermark, but by disclosing that it is preferred to use 8 bit grayscale electronic image format that contains details such as watermark for the goal of document authentication and verification, it enables one ordinarily skilled in the art to incorporate watermark sensor into the searching device of Mass Storage 34.

Furthermore, in Paragraph [0029] of *Seder et al. (US 2002/0164053 A1)*, it is disclose an optical sensor with decoder software that reads document identifier from watermark payloads and uses that to retrieve the document.

Therefore, it would've been obvious to one ordinarily skilled in the art to adapt the sensor of Mass Storage 34 of *Ramsay* with the watermark sensing capability of *Seder* in

Art Unit: 2625

order to properly retrieve the needed image document whereas the motivation to combine can be located in *Ramsay et al. (US 5502576 A)* [Column 8, Rows 40 through 44] “assure far greater certainty when verifying the integrity and authenticity of electronic images.....”.

9. Claims 2 and 8 are rejected under 35 USC 103(a) as being unpatentable over the combined teaching of *Ramsay et al. (US 5502576 A)* in view of *Hussey (US 5826269 A)* and *Lin et al (US 7130864 B2)* and further in view of *Cullen et al. (US 5893908 A)*.

The primary reference, *Ramsay et al. (US 5502576 A)* teaches the subject matters of Claim 1 from which Claims 2 and 8 are dependent upon. However, *Ramsay et al. (US 5502576 A)* does not teach that the search device uses optical character recognition for document retrieval of Claim 2, and correspondence information indicative of priorities assigned according to degrees of correspondence of Claim 8.

*Cullen et al. (US 5893908 A)* teach these subject matters.

Regarding Claim 2, *Cullen et al. (US 5893908 A)* teaches wherein said searching device comprises a character recognition device [Column 7, Rows 12 through 37. More Specifically, Rows 30 through 37].

Therefore, it would've been obvious to one ordinarily skilled in the art at the time of invention to modify the search device of *Ramsay et al. (US 5502576 A)* with the additional capability of character recognition of *Cullen et al. (US 5893908 A)* in order to provide “an electronic document management system may provide automatic archiving of documents and retrieval without the need to navigate through a directory structure or specify a filename.” [Cullen et al. (US 5893908 A), Column 1, Row 64 through Column 2, Row 6].

Art Unit: 2625

**Regarding Claim 8**, wherein in a case where a plurality of original electronic document files corresponding to the electronic document data within the output image information are searched out, the result of search includes correspondence information indicative of priorities assigned to the plurality of original electronic document files according to degrees of correspondence [Column 5, Rows 27 through 50. Here, the system lists the search results in descending order where the document with the most descriptors matching the user's document of interest is at the top].

Therefore, it would've been obvious to one ordinarily skilled in the art at the time of invention to adapt the method of listing search results base on matching descriptors as suggested by *Cullen et al. (US 5893908 A)* to the system of *Ramsay et al. (US 5502576 A)* in order to have "an electronic document management system that takes advantage of advanced document analysis techniques" [*Cullen et al. (US 5893908 A)*, Column 1, Rows 64 through 65] to facilitate the process of identifying the correct document being desire.

### ***Conclusion***

10. Applicant's amendment necessitated the new grounds of rejection presented in this Office action. Accordingly, **THIS ACTION IS MADE FINAL**. See MPEP § 706.07(a). Applicant is reminded of the extension of time policy as set forth in 37 CFR 1.136(a).

A shortened statutory period for reply to this final action is set to expire **THREE MONTHS** from the mailing date of this action. In the event a first reply is filed within **TWO**

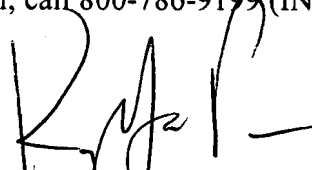
Art Unit: 2625

MONTHS of the mailing date of this final action and the advisory action is not mailed until after the end of the THREE-MONTH shortened statutory period, then the shortened statutory period will expire on the date the advisory action is mailed, and any extension fee pursuant to 37 CFR 1.136(a) will be calculated from the mailing date of the advisory action. In no event, however, will the statutory period for reply expire later than SIX MONTHS from the mailing date of this final action.

Any inquiry concerning this communication or earlier communications from the examiner should be directed to King Y. Poon whose telephone number is 571-272-7440 and Richard Z. Zhu whose telephone number is 571-270-1587. The examiners can normally be reached on M-F, 8:00 - 4:30.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free). If you would like assistance from a USPTO Customer Service Representative or access to the automated information system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.

RZ<sup>2</sup>  
09/11/2007

  
KING Y. POON  
SUPERVISORY PATENT EXAMINER

Richard Z. Zhu  
Assistant Examiner  
Art Unit 2625